

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: : **Chapter 13**

Scott D. Montague : **No. 22-10175-PMM**
Debtor :

AMENDED MOTION TO MODIFY PLAN AFTER CONFIRMATION

Debtor, Scott D. Montague, by and through his undersigned Attorney, Vaughn A. Booker, Esquire makes the following Motion to Modify the Plan after Confirmation and in support hereof states as follows:

1. Debtor filed his Chapter 13 Petition and Plan with this Court on January 25, 2022.
2. The Debtor's Chapter 13 Plan was confirmed on August 29, 2022.
3. This Court has jurisdiction over this Motion filed pursuant to 11 USC Section 1329 to allow the filing of a Modified Plan after confirmation.
4. The Plan is being filed as a result of the following:
 - A. The Commonwealth of Pennsylvania Department of Revenue filed a Total Proof of Claim on August 30, 2022, the very next day that the Plan was confirmed in the amount of \$1460.67 and of which \$1,438.00 will be a Priority Claim, for taxes owed by the Debtor.
 - B. The Commonwealth of Pennsylvania Department of Revenue's Proof of Claim was not not accounted for in the Debtor's Plan Pre-Confirmation.
 - C. The Trustee paid the Commonwealth of Pennsylvania Department of Revenue's Plan in full.
 - D. As a result the Plan is now underfunded by \$1,691.33, which includes an allowance for the change in the Trustee's commission.
5. As a result of the above-referenced, the Debtor proposes to modify the plan as follows:
 - A. The Total Base Plan will increase from \$115,638.75 to \$117,951.00.
 - A. Debtor has paid \$52,703.00 into the plan to date.
 - B. Debtor shall continue to pay \$2,330.29 for the next 28 months.
6. The said Modified Plan if approved, will enable the Debtor to financially afford and stay in his home and continue and to pay off all of his Secured and Priority claims and continue to make his Trustee payments.

Wherefore, the Debtor Scott D.Montague respectfully requests that the Court approve the Modified Plan.

By:

/s/ Vaughn A. Booker, Esquire
Vaughn A. Booker, Esquire
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Date: September 27, 2024

**IN THE UNITED STATES BANKRUPTCY COURT
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In Re: : **Chapter 13**

Scott D. Montague : **No. 22-10175-PMM**
Debtor :

ORDER

AND NOW, this day of , 2024 and based upon the
within Motion of the Debtor to Modify the Plan Post Confirmation, it is Hereby Ordered and
Decreed that the Debtor's Motion to Modify the Plan is Granted and that the Confirmed Plan
is Modified and the Modified Plan Filed as a Proposed Modified Plan on the Docket shall be the
New Chapter 13 Plan.

By:

Honorable Patricia M. Mayer
United States Bankruptcy Judge